

MISCELLANEOUS.

LEGAL NOTICE.

In the District Court in and for the Third Judicial District of Utah Territory, County of Salt Lake.

S. P. Tenside,
Plaintiff,
vs.
Martin Taylor,
Defendant.

The people of the Territory of Utah send greeting to Martin Taylor, Defendant.

YOU ARE HEREBY REQUIRED TO APPEAR in an action brought against you by the above named plaintiff in the District Court of the Third Judicial District of the Territory of Utah, and to answer to the complaint filed herein within ten days (exclusive of the day of service) after the service on you of this summons. If served within this county, or if served out of this county, but in this district, within twenty days; otherwise within forty days—judgment by default will be taken against you, according to the prayer of said complaint.

The said action is brought to recover the sum of \$55.59, for goods, wares and merchandise, sold and delivered to defendant by plaintiff at defendant's special instance and request, between February 25, 1887 and May 16, 1887, and costs.

And you are hereby notified that if you fail to appear and answer the said complaint as above required, the said plaintiff will take judgment against you for the sum of \$55.59 and costs of suit.

Witness, the Hon. Charles S. Zane, Judge, and the Seal of the District Court of the Third Judicial District, in and for the Territory of Utah, this twenty-sixth day of January, in the year of our Lord one thousand eight hundred and eighty-eight.

HENRY G. McMillan,
Clerk.

By JOHN M. ZANE,
Deputy Clerk.

LEGAL NOTICE.

In the Probate Court of the County of Salt Lake, Territory of Utah.

In the matter of the guardianship of Mary Ann Murphy, Edmund H. Murphy, Charles F. Murphy, Valentine Rhoda Murphy, Ada Jane Murphy, Arthur John Murphy and James F. Murphy, Minors.

Order to show cause why order of sale of real estate should not be made.

RHODA MURPHY, THE GUARDIAN OF the person and estates of Mary A. Murphy, Edmund H. Murphy, Charles F. Murphy, Valentine Rhoda Murphy, Ada J. Murphy, Arthur J. Murphy and James F. Murphy, minors, having filed her petition herein, duly verified, praying for an order of sale of a portion of the real estate of said minors for the purposes therein set forth; it is therefore ordered by the Judge of said court that all persons interested in the estate of said minors appear before said Probate Court on Monday, the 27th day of February, 1888, at 11 o'clock, in the forenoon of said day, at the court room of said Probate Court, at the County Court House, in the city and county of Salt Lake, Utah Territory, to show cause why an order should not be granted to the said guardian to sell so much of the real estate of the said minors at private sale as shall be necessary, and that a copy of this order be published at least four consecutive weeks in the SALT LAKE DAILY HERALD, a newspaper printed and published in said city and county.

ELIAS A. SMITH,
Probate Judge.

Dated January 25th, 1888.
TERRITORY OF UTAH,
COUNTY OF SALT LAKE.

I, John C. Cutler, clerk of the Probate Court in and for the County of Salt Lake, in the Territory of Utah, do hereby certify that the foregoing is a full, true and correct copy of an order to show cause why order of sale of real estate should not be made in the matter of the guardianship of Mary Ann Murphy, et al. minors, as appears of record in my office.

In witness whereof, I have hereunto set my hand and affixed the seal [SEAL] of said court, this 25th day of January, A. D. 1888.

JOHN C. CUTLER,
Probate Clerk.

By H. S. CUTLER, Deputy

INSECT GEM HUNTERS.

Garnets and Other Precious Stones Brought to the Surface by Ants.

"There is the original garnet mine and the miner as well," said my companion, as we were riding along the mountains of New Mexico.

Following the direction of his glance, I saw a tall, well-formed Navajo Indian standing motionless by what appeared to be a small sand heap. Wishing to investigate, we drew nearer and found that the statue-like native was watching one of the many ant hills that dot the country through New Mexico and Arizona as well.

As we approached, he hardly looked up, appearing indifferent after the fashion of his race, and his object was still an enigma, at least to me. The Navajo had never produced a naturalist, and it was hardly possible that he had been studying the habits of the active insects. Perhaps he was trying to collect enough for dinner—Indians have been known to eat ants.

But the Indian was, after all, a close observer, and was reaping his reward, for when I asked him what he was doing, he held out a small bag, the contents of which I turned over my hand—garnets, small but good, in great numbers, bits of quartz that gleamed like diamonds, here a bit of turquoise large quantities of olivine, and a single gem, an emerald, of but little value, but an emerald after all.

An ant hill was a curious place from which to take such a strange assortment, but, as my friend had suggested, this was the original mine, and the real miners were the ants. In piling up their come-like houses they brought out the minute gems one by one, and placed them among the bits of sand, where they gleamed and flashed as if inviting collection.

The Indians had discovered their value, and in this way did their mining, allowing the ants to do all the work, and taking the gems as fast as they were brought up. The stones found in this way, range in size from the head of a pin to a large pea, and besides the ones mentioned, rubies have been taken from the ants. These stolen gems are sold in lots and used in various kinds of jewelry. Nearly every ant hill is examined in this way and the mound gone over, often the ants being watched, and the gems taken from them as soon as brought up.

Whether the little insects have a liking for glistening objects, it is difficult to determine, out from the fact that so many gems are brought to the surface, there would seem to be reason to suppose they had. It would be extremely difficult to name an industry followed by man that did not have its prototype in the lower animal kingdom. Our humble friends have traded their seemingly arts and sciences, just as we have. Hence, we need not be surprised if we find miners whose work compares favorably with that of human beings.

In an ant family that I have been watching for some time, well up in the Sierra Madre mountains, Southern California, the work is carried on in a very methodical manner, the workers apparently being protected by soldier ants with huge heads and powerful jaws.

For some time I watched these miners at work, noticing the regularity with which each ant seemed to deposit its load in the same spot, and finally I allowed the sun to pass through my hand glass and form a bright spot at the entrance of the mine. A worker soon passed under it, and, feeling the fierce heat, evidently rushed below with the news, for almost immediately out came a horde of big jawed fighters, who darted about, biting at the sun spot, and showing by their actions that they had determined to attack the foe, whatever it was, and when I placed my magnifying glass upon the ground, they rushed at it in great fury, lashing their jaws upon the glass, and refusing to be torn away—even parting with their heads, that remained for a long time clinging to the glass.—Golden Days.

FRANKLYN MUST ACCOUNT.

He Says He Doesn't Believe His Cousin Bache Cunard Leaked Him Up.

Judge Andrews of the Supreme Court has made an order directing Charles G. Franklyn to deliver within twenty-five days to Sir Bache Cunard or his attorneys a verified statement in writing of the particulars of the losses alleged to have been incurred by Cunard in transactions and enterprises entered into by Franklyn "for the joint account" of himself and Cunard. Judge Andrews' order requires that Franklyn give the names of the persons with whom these alleged transactions were had, the dates and amounts of the losses, the dates on which the losses were met and paid by Franklyn out of Cunard's funds and property, held by him, and the amount of each payment.

Judge Andrews made the order on motion of Whitlock & Simonds, lawyers for Sir Bache Cunard, who is suing his cousin Franklyn for \$3,000,000 which he alleges Franklyn wrongfully used for his own account. Sir Bache Cunard's affidavit in support of the request for the motion says that prior to June, 1885, he fully believed that Franklyn had in his possession, as his agent, the full amount of the securities and cash committed to his charge, or their equivalent, together with large accretions and accumulations. In June and July, 1885, when he was in New York, he demanded from Franklyn all the securities and cash, but got instead a written statement, in which Franklyn admitted that he should have in his hands, as Cunard's agent, \$500,000, and at the same time he (Franklyn) admitted that he had taken the securities and cash and converted them to his own use. He promised to "make good his defalcation." If time were given him, and Cunard, for this reason and for the sake of not disgracing Franklyn and his family, refrained from proceeding against him. Sir Bache emphatically denies that he at any time or in any way agreed to speculate or invest any of the funds and securities with Franklyn on joint account, and he says that the first he heard of the joint account business was after he had had Franklyn locked up in Ludlow Street jail in default of \$500,000 bail in the suit for the recovery of \$3,000,000.

Butler, Stillman & Hubbard, for Franklyn, in opposing the motion for a bill of particulars, reiterated the statement that Cunard knew thoroughly well that Franklyn was speculating with or investing the securities and funds in his hands; that it was a joint account affair throughout; that together

they had frequently talked about the various enterprises in which Cunard's money was invested; that Cunard never promised to "make good his defalcations" for the reason that there had been none. Neither did Cunard, so Franklyn declares, agree not to sue him. He was to be considered a debtor, and he was to do his best to pay the indebtedness from time to time. Franklyn adds:

The papers on which I was arrested in this suit to recover \$3,000,000, and in which I was held to bail in \$500,000, are none of them sworn to by Sir Bache Cunard, nor has he made any affidavits in the case. The affidavit of Cunard sworn to by his lawyers (Whitlock & Simonds) I am informed by London friends, since my arrest, that are prepared with the plaintiff who expresses himself as greatly shocked at the proceedings which were taken against me, and I verily believe that such proceedings were not understood or sanctioned by him.

However that may be, Judge Andrews granted the order.—New York Sun.

EDUCATION FORTY YEARS AGO.

Difficulties of Environment in Pioneering.—Studying by Firelight.

"It is a fortunate thing," said an old resident the other day, "that the death of Logan has turned public attention to the school in which he imbibed the principles of patriotism and the fundamental idea of personal integrity. Difficulties thrown in the way of a boy developed the qualities that made the stubborn, aggressive and persistent man. The difficulties of environment in pioneer times made of a boy who had the material to build on the very best kind of a man. In the city, latent qualities of the severest types of manliness may not be developed in the boy because there is nothing to call for their manifestation.

"Not many children now prize an education as we did in the olden times, and not many are excited to that enthusiasm that made the poor country boy a fanatic in the matter of gaining information. I can remember when I was a boy of 9 or 10 of taking my little wagon with its wheels cut out of a thick plank, homebound in every particular; I remember of going with this little wagon half a mile to where the bark had fallen from the rails along a fence and of gathering this bark and hauling it home to make a light every night that I might study or read. The idea that a boy should have a candle by which to pursue his studies was not thought of.

"This handling of the bark was my own idea, and my own venture entirely. After supper, or after the cooking utensils had been removed from the big fireplace, I carried in my load of bark, and would put piece after piece on the coals, as needed, to make light for my reading. I have always felt a sympathy for W. D. Howells, because his old father told me years ago that the man who is now the leading novelist in America was in the habit of doing much the same thing, and that the most of the reading and study that fitted Howells for his first work in literature was done by firelight.

"That was not more than forty or forty-five years ago, and yet in a good many houses in the farming regions of Ohio and Indiana, to say nothing of Illinois, comparatively few candles were burned. There was, of course, at that time no kerosene or inexpensive oil for lamps. The lamp in common use was a shallow iron cup, with a pitcher sort of a mouth, into which was put lard or meat tallow, and a narrow strip of cotton or linen cloth. This typical lamp of the olden times was struck in a crack between the logs, or hung on a nail, and if the lard was not too salty it gave a fair light, but for the purposes of study the firelight was better."—Inter-Ocean "Curstone Crayons."

A Mormon Colonization Project.

EL PASO, TEX., January 30.—Andrew J. Stewart, who has for thirty-six years been one of the leading and most successful immigration and colonization agents for the people of Utah, has just arrived in El Paso from a two months' examination of Mexico, where he has been in quest of a location for a large colonization project for the Mormons in Utah, as well as for foreigners whom he will induce to join him. His project is a very comprehensive one, and must prove not only highly profitable to all concerned, but it will at the same time be a real benefaction to all who will avail themselves of it, for it combines every element of success, as well as of comfort, prosperity, and even philanthropy. The location which he has made arrangements to secure is a most delightful and available one for the purpose, embracing an area of about 1,250,000 acres of land 220,000 acres of which are agricultural and the balance fine grazing, all having an abundance of water and unsurpassed climate and great resources, agricultural, horticultural, pastoral and manufacturing, capable of sustaining in comfort 200,000 head of live stock and 200,000 people. With this will be combined also a large commercial, banking and financial business.

This association, for such it will be, will be entitled, both as capitalists and colonists, to the numerous valuable special concessions granted by the Mexican Government to all such as are locating in Mexico under the auspices and upon the lands secured by the El Paso Brokerage Company and their associates in the city of Mexico, fully described in the special dispatch to the Globe-Democrat on the 22d of December last. Mr. Stewart, whose evident fitness and capacity for the work with which he is interested has been discovered by all with whom he has come in contact, wishes it understood that this is strictly a business and philanthropic project, and has no connection with the Church at Salt Lake. He has plenty of capital behind him, and the success of his project seems assured, as he is operating in conjunction with first-class parties, not only in Utah, but also in Denver, New Orleans, New York, the City of Mexico and here—Globe-Democrat.

Happiness and Health Are important problems, the former depending greatly on the latter. Everyone is familiar with the healthy properties of fruit, and no one can afford to be sick and miserable while the pleasant California concentrated liquid fruit remedy, Syrup of Figs, may be had of our enterprising druggists, A. C. Smith & Co.

MISCELLANEOUS.

How a Dying Child Was Saved!

CINCINNATI, Hamilton Co., Ind., Sept. 19, 1887.—The following is a true account of what your S. S. S. has done for our little daughter, Hazel, now four years old. When 12 months old a lump appeared on her head, which slowly grew larger. The family physician thought it was caused by a piece of broken glass or needle, but failed to bring anything to light. The child became feebler all the time, seeming to lose the use of her leg, and finally quit walking entirely. The middle finger and thumb of either hand became enlarged, the flesh becoming hard. The hip joints became involved, so that when seventeen months old she could not stand, having lost the use of leg and arm. Partial curvature of the spine also followed. The nervous system was wrecked, muscles contracted, and there was general wasting of flesh and muscle. At eighteen months of age she was placed under the treatment of a prominent physician of Boston, Mass., but at the end of ten months she had declined to such a degree that she was in a dying condition. This was in April, 1888. We took the child away not knowing what to do. In this dreadful dilemma we were over-persuaded by friends to try "one bottle" of SWIFT'S SPECIFIC, which we did, and before it had all been taken we saw a change for the better in her symptoms. We kept it up, and have done so to this day, and will keep it up, if the Lord will, for many days to come, for it has brought our dying Hazel to life, to vigor, to strength and health again. The ashen hue of her cheeks has changed to a rosy tint. She is able to walk anywhere, her languor and melancholy have passed away, and she is now a blithe, cheerful, happy romping child. Should you wish to increase your testimonials of proof of the virtue of S. S. S., our names and what we have said is but a portion of what we owe to you, should you wish to use them.

Kindly yours,
BEN. F. SWIFT,
GERTRUDE E. SWIFT.

P. O. Box 66.
Treatise on Blood and Skin Diseases mailed free.
THE SWIFT SPECIFIC CO., Drawer 5, Atlanta, Ga.

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DENTIST,
Rooms 11 & 12, Herald Building.



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